

Alfred M. Walker, P.C.

Attorney at Law

*Admitted to New York State Bar
and the United States Patent Office*

2005 NOV 25 PM 2:36

US PATENT & TRADEMARK
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November 18, 2005

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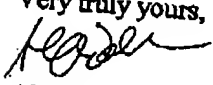
RE: Deposit Account # 23-0120

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Date	Seq	Posting Ref Txt	Atty Docket #	Fee Code	Amount
11/30/04	14	09990832	11-D1	1814	\$110.00

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**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING
REJECTION OVER A PENDING SECOND APPLICATION**

IN RE APPLICATION OF: Robert J. Sicurelli, Jr. and Samuel Masyr

APPLICATION NO.: to be assigned

FILED: November 21, 2001

FOR: FLEXIBLE POST IN A DENTAL POST AND CORE SYSTEM

The owner Tru-Flex Post Systems, Inc. of 100% interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of Applicant's U.S. patent nos. 5,741,139, 5,915,970 and 5,919,044 as well as prior to any statutory term for any patent granted under application serial no. 09/296,159, which application is still pending. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the aforementioned patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

____ For submissions on behalf of an organization (e.g. corporation, partnership, university, government agency, etc.) the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application of any patent issued thereon.

-OR-

X The undersigned is an attorney of record.

November 21, 2001

Alfred M. Walker
Reg. No. 29,983

/2004 DFOLLARD 00000011 230120 09970932
PAT31

:1814 110.00 DA

Adjustment date: 12/20/2005 SDIRETA1
11/30/2004 DPOLLARD 00000011 230120 09990932
02 FC:1814 110.00 CR

12/20/2005 SDIRETA1 00000015 830120 09990932
02 FC:2814 65.00/04

02/20/2005 SPDTRETA1 00000016 230120 09990932

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FAX NO. 6313618792

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NOV 15 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Sicurelli Jr. et al.
Ser. No.: 09/990,932
Filed: November 21, 2001
Art Unit: 3732
Examiner: John J. Wilson
Title: Flexible Post In A Dental Post and Core
System

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Amendment Under 37 C.F.R. §1.111

This Response addresses the Office Action dated April 13, 2004 (Paper No. 41204) and the Notice of Non-Compliant Amendment dated September 13, 2004.

Please extend the time to respond one month from October 13, 2004 until Monday November 15, 2004.

The Commissioner is authorized to charge any fees (small entity) associated with this communication to the undersigned's Deposit Account number 23-0120.

2004 DPOLLARD 00000011 230120 09990932

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Adjustment date: 12/20/2005 SDIRETA1
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11/15/2004 9:25:41 PM (Eastern Standard Time) * SVR:USPTO-EFAX-111 * DNS:8729306 * CSID:6313618792 * DURATION (mm:ss):01:28

12/20/2005 SDIRETA1 00000015 230120 09990932
01 FC:1251 110.00 DA

12/20/2005 SDIRETA1 00000016 230120 09990932

01 FC:2251 55.00 DA

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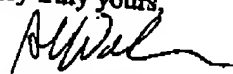
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